

Complaint is verified, and an affidavit, the Verification, of J. Stephen Simms concluding that Defendant cannot be found in this District, is attached. And so the Court GRANTS the Motion for Order for Issue of Process of Maritime Attachment and Garnishment [Dkt. No. 5] and the Motion for Appointment for Service of Process of Maritime Attachment and Garnishment [Dkt. No. 8]. *Cf. K Inv., Inc. v. B-Gas Ltd.*, No. 3:21-CV-00016, 2021 WL 3477356, at n.1 (S.D. Tex. June 4, 2021) (“A motion to vacate a maritime attachment is ordinarily treated as a nondispositive matter.”), *rep. & rec. adopted*, 2021 WL 3473502 (S.D. Tex. Aug. 6, 2021), *aff’d sub nom. K Invs., Inc. v. B-Gas Ltd.*, No. 21-40642, 2022 WL 964210 (5th Cir. Mar. 30, 2022).

Accordingly, it is

ORDERED, that Process of Maritime Attachment and Garnishment shall issue against all assets, cash, funds, credits, wire transfers, accounts, letters of credit, electronic fund transfers, freights, sub-freights, charter hire, sub-charter hire, or any other tangible and/or intangible assets belonging to, due, claimed by, being held for or on behalf of, or being transferred for the benefit of Defendant, including, but not limited to any such assets as may be in the possession, custody, or control of, or being transferred through Garnishee within this District, including, without limitation, assets held by or at Garnishee, and said Order being equally applicable with respect to the issuance and service of additional Writs of Maritime Attachment and Garnishment on any garnishees in this District not named herein, in an amount up to and including \$754,726.81, under Supplemental Rule B; and it is further

ORDERED, that any person claiming an interest in the property attached or garnished under this order shall, on application to the Court, be entitled to a prompt hearing at which Plaintiff shall be required to show why the attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED, that Scott R. Wiehle, or any other person at least 18 years of age and not a party to this action appointed by Scott R. Wiehle, is hereby appointed to serve this Order on the Garnishee; and it is further

ORDERED, that supplemental process enforcing the Court's Order may be issued by the Clerk on application without further Order of the Court; and it is further

ORDERED, that following initial service on Garnishee, supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile transmission or email to Garnishee; and it is further

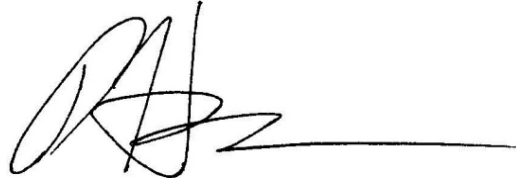
ORDERED, that service of any Garnishee as described above is deemed continuous throughout the day from the time of such service through the opening of Garnishee's business the next business day; and it is further

ORDERED, that under Federal Rule of Civil Procedure 5(b)(2)(F) the Garnishee may consent, in writing, to accept service by any other means; and it is further

ORDERED, that a copy of this Order be attached to and served with the Process of Maritime Attachment and Garnishment.

SO ORDERED.

DATED: May 30, 2023

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a long horizontal line extending to the right.

DAVID L. HORAN
UNITED STATES MAGISTRATE JUDGE